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GENERAL AND REVENUE SECRETARIAT

1906.

(Muzrai)

File No. 289.

Serial Nos. 1 – 5

Papers Filed.

*Month*________

SUBJECT.

Restoration of Subbanna and others servants of the Sri Kalaseswaraswami temple to their appointments on the appeal to ~~His Highness~~ Govt against the Deputy Commissioner's order

PREVIOUS REFERENCES	LATER REFERENCES

Muz. 8] 190 .

MUZRAI SECRETARIAT.

OFFICE NOTE

File No.

SUBJECT.

In re the appeal petition from the servants of the Kalasa temple regarding their dismissal from service.

From

The Deputy Commr., Kadur District

No. 143 Dated 4th October 1907

Slip A)

Kattige Ramachandra, Kattige Subbanna, and Bagalu Venkataramana, servants of the Sri Kalaseswaraswamy temple at Kalasa in the Mudigere Taluk have appealed to Govt against the orders of the Dy. Commr, Kadur Distt. They complain that in connection with the loss of Golaka-Collections of the temple, their services were dispensed with and a sum of Rs 50/- being the estimated loss was recovered from 4 of the temple servants ~~them~~ on the mere suspicion that they had a hand in the loss sustained by the temple, and urge that if sufficient evidence was forthcoming, they might have been handed over to the Police and tried and punished, and pray for their restoration in office. The appeal petition was referred to the Dy Commr, Kadur District, and that Officer has submitted a detailed report on the case together with the Vernacular records bearing on the subject.

The Deputy Commissioner reports (Slip A,
as follows —

On 5th October 1902, Patel Kalasiah Hebbar, one of the Dharmadarsis of the temple brought to the notice of the Dy. Commr. that cash offerings in the "Dabbi" kept inside the temple were found to have been tampered with and that the broken pieces of stones and pot tiles found in it were kept in possession of the Peshkar by the Dharmadarsis assembled on the occasion in order to draw up a mahazar.

On 6th October 1902, Mr. D. Jaga Rao, Hospital Assistant and Dharmadarsi of the temple wrote to the Assistant Commr Chickmagalur, to the same effect.

Slip E)

These two communications having been forwarded for report to the Amildar of the Mudigere Taluk, the Sheristadar who was in charge of the Taluk at the time, solicited permission to go to Kalasa and conduct a personal enquiry On receipt of this report, together with an anonymous petition, the Dy. Commr directed the Assistant Commissioner in charge of the Mudagere Taluk, who was touring there at that time, to hold a personal enquiry into the matter and submit the records together with his opinion In the meanwhile the Amildar

slip d)

who has returned to duty, submitted for orders the mahazar drawn up on the 10th August 1902 by the Dharmadarsis of the temple and the Peshkar, and also the statements taken by them from the (3) appellants including that of Subba, the then store-keeper of the temple.

(Slip E

In the mahazar it is stated that on examination of the contents of the Dabbi silver (Rs 2-12-0) and copper (Rs 2-3-7) coins amounting to Rs 4-15-7 and broken pieces of stone, slate etc. were found in it, that the offerings put therein must have been more than what was found on examination and that it must have been opened as the bottom portion of the Dabbi was found to be black showing that it has been kept on fire The appellants and Store-~~k~~ Keeper have given statements to say that they are ignorant of the matter though all of them, except Kattege Rama Chandra, agreed to make good the loss in equal proportion

(Slip F) The Peshkar states that Kanike amounts exceeding four annas were being remitted to the Treasury for investment; that amounts of and less than 4 annas were being received by the Archaks and others for their own use; that after his appointment he introduced Dubbi into the temple and Kanikes of less than 4 as were being put into it, that the appellants and the Store-Keeper had access to the "Dabbi" in question since they stayed in the temple both night and day; that on a certain day, as the Dabby was found to be light, it was opened on suspicion and the coins etc set forth above were found in it by the Panchayatdars. He further states that in accordance with the decision arrived at by the Panchayets, the Peshkar recovered the sum of Rs 50/(on his own - responsibility) from the pay of the servants at Rs 12-8-0 each and credited the amount viz Rs 49-12-0 (4 as. being ~~d~~ deducted towards money order commission). It is also reported that Kanike collections in the Dabbi remained accumulated for the past 2 or 2½ years.

Mr. P. G. D'Souza who conducted personal enquiry into the matter has submitted his detailed report (Slip G) on the subject. He states that there was some truth in the allegations contained in the petition (that there was some foul play in regard to the Dabbi collections of the temple and that it was admitted that the collection box maintained inside the temple was broken open and the 50 made good by the temple servants who had access to the Dabbi) seem to represent fairly the collections that were probably in the box. –

Thereupon Mr M. Narain Rao, the then Dy. Commr. on going through the records of the case, has made as follows the marginal orders on his Assistant report:– " The Peshkar's conduct in omitting to report the tampering of the Dabbi and in recovering Rs 50 of to make up the estimated loss on his own responsibility is highly irregular. The matter should have been reported to the Police at once. Owing to lapse of time there is no chance of finding out the offenders now. The four suspected persons should be dismissed and others employed in their place.

Against the foregoing orders, an appeal has been preferred to Govt.

In the vernacular records, the supply of provisions of inferior quality by the Temple contractor and other points are dealt with, but as these have no bearing on the appeal, the Dy. Commr. is silent in his report on these points.

There are standing orders of

Court which clearly lay down that – the temple servants are jointly – responsible for the loss sustained by the temple and that they should make good the value of the property lost –

Submitted

Muzrai Secretary's Remarks:-

In the year 1903, the Peshkar of the Sri Kalaseswaraswami temple at Kalasa, suspected that the Golaka box kept in the temple had been tampered with and he accordingly got it examined in the presence of the Dharmadarais and found that stones &c had been replaced and the coins removed therefrom. The amount of the loss was estimated at Rs 50 and this amount was recovered from the appellants and remitted to the Treasury. Upon the report submitted ~~to~~ the Deputy Commissioner (Mr. Narain Rao) directed the dismissal of the appellants in July 1903.

The appellants urge that Golaka box used to be placed in front of the Vinayaka temple inside the main temple and that their duty was to carry it whenever ordered from that place to the temple Treasury room and that they are in no way responsible for the tampering of its contents. They say that if they were suspected they might have been criminally tried and punished and pray that Mr. Narain Rao's order directing thier dismissal might be set aside, that the amount of Rs. 50 recovered from them might be refunded to them and that they might be reinstated to their Offices which has been hereditary in their family.

I think there is some reason in what the petitioners represent. If they were suspected they ought to have been criminally prosecuted and punished. This could not be done on account of the delay in obtaining orders of higher Officers. Whatever the result would have been, the amount of

Page ( )

Muz 8A]

Muzrai Secretariat. File No. of 190

the loss has been recovered from the appellants and credited to the Treasury. This is in accordance with the standing orders of the Muzrai Department which has long been in force and the petitioners may be informed that no refund of the amount recovered can be allowed. But as however the offecnce has not been brought home to the appellants and as they have been kept out of Office for the past 5 years it might be considered as a sufficient punishment and the petitioners restored to their appointments.

Yes

~~210~~ Submitted to the 2nd Councillor

15.11.1907

The punishment suffered by the appellants is a sufficient atonement for their carelessness. They may be reinstated

Received 19.11.07

Draft appd

19/11

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MUZRAI DEPARTMENT.

190 —

From

L. ANANTASAMI RAO, Esq., B.A.,
Secretary to the Government of
H. H. the Maharaja of Mysore,
Muzrai Department.

To

The Dy Commer
Kadur Dist.

Dated 6

Despatched

Received

General No. 20 0
Muzrai I No.

Enclosure No 1

Has the honor to forward herewith for favor of ~~enquiry~~ ~~and~~ a detailed report together with the records bearing on the subject, appeal-petition regd. no ~~1769~~ 1739 d/ 20th Septr. 06 from some of the servants of the Kalasa Temple, against the Dy. Commr's. order keeping them out of employment in connection with the ~~of~~ loss of the Golaka collections of the temple.

By order,

DBD

18.10.06

Secretary.

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Intt. to the petrs.

GPB—2,000—7-2 06

MYSORE GOVERNMENT
1647
9/10/07
M[illegible] SECRETARIAT

Office please

[illegible]

1907-08

From The Deputy Commissioner
Kadur district

To The Secretary to the Govt. of Mysore
Muzrai Department

Dated 4th } October 1907
Despatched
Received

General No. / No. 173.

Enclosure No. / File

Reporting on the appeal petition from the servants of the Kalasa temple in re their dismissal from the service.

From,

R.J.Kumaraswami Naidu Esquire, B.A.,
Deputy Commissioner,
Kadur District.

To,

L.Ananthaswami Rao Esquire, B.A.,
Secretary to the Government of Mysore,
Muzrai Department.

Dated Chikmagalur, [illegible] October 1907

Sir,

With reference to your No.[illegible] dated [illegible] October 1906 forwarding for report petition Registered No.[illegible] dated 20th September 1906 from some of the servants of the Kalasa temple, appealing against the order of their dismissal in connection with the loss of the Golaka collections of the temple, I have the honor to report as follows:-

2. On 6th October 1902, Patel [illegible] [illegible], one of the Dharmadarsis of the Kalasa temple, brought to the notice of the Deputy Commissioner that, among other irregularities of the temple, the cash offerings in the "Tamri" kept inside the temple were found to have been tampered with and that one or two pieces of stones and pot tiles found in it were kept in possession of the Peshkar by the Dharmadarsis assembled on the occasion in order to draw up a mahazar, and what further action taken by the Peshkar he was not aware of.

3. Subsequently on [illegible] October 1902, M.D.[illegible], Hospital Assis- ~~and~~ Dharmadarsi of the said temple, wrote to the Muzrai Assistant Commissioner Mr.[illegible].Ramaswamiaya to the same effect. These two Communications were forwarded to the Amildar of Mudigere Taluk for a detailed enquiry and report.

4. The Sheristadar, who was in charge of the Taluk at the time, took the statement of the Peshkar of the Kalasa temple, who had gone to Mudigere to draw his pension, and submitted the whole file together with the anonymous petition dated 1st August 1902 and the Peshkar's report No.109 dated 10th October 1902, in his ittilla

No.

No. 205 dated 24th October 1902 the Sheristadar represented that if an enquiry was held on the spot, the truth will be elicited and solicited orders to ~~go~~ go to Kalesa for the purpose.

5. On receipt of the above report, the Deputy Commissioner forwarded the file to the Assistant Commissioner in charge of the Mudigere Taluk, who was touring there at the time, and requested him to submit the records with his opinion thereon after holding a personal enquiry into the matter.

6. In the meanwhile, the Amildar who had returned to duty, in his Ittilla No.273 dated 20th November 1902, submitted for orders the Mahazar dated 10th August 1902 drawn up by the Dharmadarsis of the temple and the Peshkar and also the statements taken by them from the appellants, (1)Kattige Ramachandra, (2) Kattige Subba and (3) Watcher Venkataramana as also the statement of Subba, Store-keeper, received with Kalesa Peshkar's report No.15 dated 18th November 1902.

7. It is stated in the Mahazar drawn pp on 10th August 1902 by the Panchayet consisting of the Dharmadarsis that on examination of the contents of the Dabbi, silver and copper coins amounting to Rs.4-15-7 and broken pieces of tin,stone,slate and pot tiles were found in it, and that the offerings put therein must have been more than what was found on examination, and that it must have been opened, inasmuch as the bottom portion of the Dabbi was found to be black, showing that it had been kept on fire.

8. The appellants, Viz.(1) Kattige Ramachadra (2) Kattige Subba and (3) Watcher Venkataramana and another Store-keeper Subba who had access to the"Dabbi" in question since they stayed in the temple both day and night, were questioned as to the alleged theft, by the Panchayets, and in their recorded statements they all pleaded their ignorance of the matter though all of them, except Kattige Ramachandra, agreed to make good the loss in equal proportion.

9. The statements and reports of the Peshkar go to show that the Dharmadarsis also drew up the Mahazar concluded that estimated los

could

could not be more than Rs.50/-(but no mention of it is made in the Mahazar) and that the sum should be recovered from the pay of the temple servants concerned. In accordence with the decision arrived at by the Panchayets, the Peshkar recovered the sum of Rs. 50/- from the pay of the servants at Rs.12-8-0 each and credited the amount to the Treasury.

10. The papers referred to above were also sent to the Assistant Commissioner.

11. Mr.P.G.D'Souza, Assistant Commissioner, who was then in charge of the Taluk carried out the enquiry and submitted a detailed report with his No.801 dated 31st May 1903. He concluded that there was some truth in the allegations contained in the petition and that it was admitted that the collection box maintained inside the temple was broken open and the 50 Rs. made good by the temple servants who had access to the Dabbi seem to represent fairly the collections that were probably in the box.

12. Thereupon Mr.M.Narain Rao, the then Deputy Commissioner, on going through the records of the case, recorded on 27th July 1903 as follows:- " The Peshkar's conduct in omitting to report the tampering of the Dabbi and in recovering Rs.50/- to make up the estimated loss on his own responsibility is highly irregular. The matter should have been reported to the Police at once. Owing to lapse of time there is no chance of finding out the offenders now. The four suspected persons should be dismissed and others employed in their place."

13. It is against this order that the 3 petitioners out of four have now appealed.

14. The Kanada records ending with Mudigere Amildar's report No. 656 dated 2nd December 1906, together with the petition and its enclosure received with his docket under advertance are herewith enclosed for reference and obliging return when no longer required.

I have the honor to be

Sir,

Your Most Obedient Servant,

Deputy Commissioner.

Muzrai

Tyd.
14-12.

Read:— Appeal Petition Registered No. 1739 of 20th September 1906 from Kattige Ramachandra & a few other servants of the Sri Kalaseswaraswamy temple at Kalasa, Mudgere Taluk appealing against the order of the Deputy Commr. dismissing them from service in connection with the loss of the Golaka collections of the Temple

63-93.

Letter no 173 of 4th October 1907, from the Deputy Commissioner, Kadur District,— submitting the records connected with the case.

No. 2843-4 D/17.12.07.

Order thereon

The facts of the case are as follows:—

In the year 1903, the Peshkar of the Sri Kalases-warasswami temple at Kalasa, suspected that the Golaka box kept in the temple had been tampered with and he accordingly got it examined in the presence of the Dharmadarsis and found ~~that~~ ~~that~~ coins had been removed ~~fr~~ therefrom + stones substituted therefor ~~sea had been replaced and the coins removed therefrom. The amount~~ of the loss was estimated at Rs 50 and this amount was recovered from the appellants and remitted to the Treasury Upon the report submitted, the Deputy Commr

(Mr M. Narain Row) directed the dismissal of the appellants in July 1903. ~~Against~~

2. Against the foregoing orders, the petitioners have now appealed Govt. They urge that the Golaka box used to be placed in front of the Vinayaka temple inside the main temple and that their duty was to carry it whenever ordered from that place to the temple Treasury room and that they are in no way responsible for the tampering with ~~of~~ the contents. They say that if they were suspected, they might have been criminally tried and punished

and

pray that ~~Mr~~ the Deputy Commr's order directing their dismissal might be set aside, that the amount of Rs 50/- recovered from them might be refunded to them and that they might be reinstated in ~~to~~ their ~~Offices~~ offices which have been hereditary in their family.

3. The Government observe that there is some reason in what the petitioners represent. If they were suspected they ought to have been criminally prosecuted and punished. This could not be done on account of the delay

in obtaining orders of higher Officers. Whatever the result ~~would~~ might have been, the amount of the loss has been recovered from the Appellants and credited to the ~~Treasury in accordance with the standing orders of the Muzrai Department which have long been in force~~ institution and no ~~No~~ refund of the amount ~~of it~~ recovered, from the appellants can be allowed. ~~But as however the Offence has not been brought home to the Appellants and as they~~ As the ~~appellants~~ have been kept out of Office for the last —

years, direct that it might be
Considered as a sufficient
punishment for their carelessness and ~~that~~ the
petitioners should be restored to
their appointments on receipt of this order

II C'l order)

14/12/07
Secretary

W. 13/12/07

To The Deputy Commr.
Kadur Dt., returning
the records

Comptroller, Mysore Govt.

Endorsement to
the ~~Memorialist~~ Petitioners

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Draft

By order

Secretary Muzrai Department

13/12/07